

WC 10-101

FILED/ACCEPTED

APR 26 2010

Federal Communications Commission
Office of the Secretary

DOCKET FILE COPY ORIGINAL

MICHIGAN

NARUC WINTER MEETING 2001

less which produces electric energy by the use of biomass, waste, wood, hydroelectric, wind, and other renewable resources, or any combination of renewable resources, as the primary energy source.

P.A.1939, No. 3, § 6d, added by P.A.1980, No. 50, § 1, Imd. Eff. March 25, 1980.

Historical and Statutory Notes

For contingent effect provisions of P.A.1980, No. 50, see the Historical and Statutory Notes following § 460.6.

Library References

Electricity ⇐ 1, 8.4.
WESTLAW Topic No. 145.
C.J.S. Electricity §§ 1 et seq., 15.

460.6e. Evaluation and report; hearing

Sec. 6e. (1) Three years after the effective date of section 6d,¹ the standing committees of the legislature responsible for energy issues shall undertake a review and evaluation of the impact of section 6d and report to the legislature.

(2) The legislative committees shall hold a public hearing. Notice of the public hearing shall be given to interested parties who shall be given an opportunity to testify. Following the public hearing, the legislative committees shall prepare a report.

(3) The report shall be submitted to the clerk of the house and secretary of the senate and made available to all members of the legislature.

P.A.1939, No. 3, § 6e, added by P.A.1980, No. 50, § 1, Imd. Eff. March 25, 1980.

¹ Section 460.6d.

Historical and Statutory Notes

For contingent effect provisions of P.A.1980, No. 50, see the Historical and Statutory Notes following § 460.6.

460.6f. Repealed by P.A.1984, No. 49, § 2, Imd. Eff. April 12

Historical and Statutory Notes

The repealed section, which related to residential energy conservation programs, restructuring of residential electric rates, and establishing lifeline blocks, was derived from:

P.A.1939, No. 3, § 6f, added by P.A.1980, No. 139, § 1.

C.L.1979, § 460.6f.

For contingent effect provisions of P.A.1984, No. 49, see the Historical and Statutory Notes following § 460.6n.

460.6g. Attachments; rates and conditions; appeals

Sec. 6g. (1) As used in this section:

(a) "Attaching party" means any person, firm, corporation, partnership, or cooperatively organized association, other than a utility or a municipality, which seeks to construct attachments upon, along, under, or across public ways or private rights of way.

(b) "Attachment" means any wire, cable, facility, or apparatus for the transmission of writing, signs, signals, pictures, sounds, or other forms of intelligence or for the transmission of electricity for light, heat, or power, installed by an attaching party upon any pole or in any duct or conduit owned or controlled, in whole or in part, by 1 or more utilities.

(c) "Commission" means the Michigan public service commission created in section 1.¹

(d) "Utility" means any public utility subject to the regulation and control of the commission that owns or controls, or shares ownership or control of poles, ducts, or conduits used or useful, in whole or in part, for supporting or enclosing wires, cables, or other facilities or apparatus for the transmission of writing, signs, signals, pictures, sounds, or other forms of intelligence, or for the transmission of electricity for light, heat, or power.

(2) The commission shall regulate the rates, terms, and conditions of attachments by attaching parties. The commission, in regulating the rates, terms, and conditions of attachments by attaching parties, shall not require a hearing when approving the rates, terms, and conditions unless the attaching party or utility petitions the commission for a hearing. The commission shall ensure that the rates, terms, and conditions are just and reasonable and shall consider the interests of the attaching parties' customers as well as the utility and its customers.

(3) An attaching party shall obtain any necessary authorization before occupying public ways or private rights of way with its attachment.

(4) Procedures under this section shall be those applicable to any utility whose rates charged its customers are regulated by the commission, including the right to appeal a final decision of the commission to the courts.

P.A.1939, No. 3, § 6g, added by P.A.1980, No. 470, § 1, Eff. March 31, 1981.

¹ Section 460.1.

Library References

Public Utilities ⇨ 145.

WESTLAW Topic No. 317A.

C.J.S. Public Utilities §§ 18, 65 to 67.

460.6h. Definitions; gas cost recovery clause; review; gas cost reconciliation

Sec. 6h. (1) As used in this act:

(a) "Commission" or "public service commission" means the Michigan public service commission created in section 1.¹

(b) "Gas cost recovery clause" means an adjustment clause in the rates or rate schedule of a gas utility which permits the monthly adjustment of rates for gas in order to allow the utility to recover the booked costs of gas sold by the utility if incurred under reasonable and prudent policies and practices.

(c) "Gas cost recovery factor" means that element of the rates to be charged for gas service to reflect gas costs incurred by a gas utility and made pursuant

Michigan Compiled Laws: Complete Through PA 332 of 2000

A free service provided by The Michigan Legislative Council, The Michigan House of Representatives and The Michigan Senate



Main Functions				

MCL Search		
	results	

MCL Documents		
	sections	
	Index	
	Chapter 460	
	Act 3 of 1939	
	460.6g	

Go to the first Full Text hit...

**MICHIGAN PUBLIC SERVICE COMMISSION
(EXCERPT)**

Act 3 of 1939

460.6g Definitions; regulation of rates, terms, and conditions of attachments by attaching parties; hearing; authorization; applicable procedures. [M.S.A. 22.13(6g)]

Sec. 6g. (1) As used in this section: (a) "Attaching party" means any person, firm, corporation, partnership, or cooperatively organized association, other than a utility or a municipality, which seeks to construct attachments upon, along, under, or across public ways or private rights of way.

(b) "Attachment" means any wire, cable, facility, or apparatus for the transmission of writing, signs, signals, pictures, sounds, or other forms of intelligence or for the transmission of electricity for light, heat, or power, installed by an attaching party upon any pole or in any duct or conduit owned or controlled, in whole or in part, by 1 or more utilities.

(c) "Commission" means the Michigan public service commission created in section 1.

(d) "Utility" means any public utility subject to the regulation and control of the commission that owns or controls, or shares ownership or control of pole s, ducts, or conduits used or useful, in whole or in part, for supporting or enclosing wires, cables, or other facilities or apparatus for the transmission of writing, signs, signals, pictures, sounds, or other forms of intelligence, or for the transmission of electricity for light, heat, or power.

(2) The commission shall regulate the rates, terms, and conditions of attachments by attaching parties. The commission, in regulating the rates, terms, and conditions of attachments by attaching parties, shall not require a hearing when approving the rates, terms, and conditions unless the attaching party or utility petitions the commission for a hearing. The commission shall ensure that the rates, terms, and conditions are just and reasonable and shall consider the interests of the attaching parties' customers as well as the utility and its customers.

(3) An attaching party shall obtain any necessary authorization before occupying public ways or private rights of way with its attachment.

(4) Procedures under this section shall be those applicable to any utility whose rates charged its customers are regulated by the commission, including the right to appeal a final decision of the commission to the courts.

History: Add. 1980, Act 470, Eff. Mar. 31, 1981 .



Main Functions				

[Go to the first Full Text hit...](#)

MICHIGAN TELECOMMUNICATIONS ACT (EXCERPT)

Act 179 of 1991

MCL Search		
	results	

MCL Documents		
	sections	
	Index	
	Chapter 484	
	Act 179 of 1991	
	Article 3a	
	G. ATTACHMENT	
	RATES	
	484.2361	

***** 484.2361 THIS SECTION IS REPEALED BY ACT 295 OF 2000 EFFECTIVE DECEMBER 31, 2005: See 484.2604 *****

484.2361 "Attachment" and "usable space" defined; rates, terms, and conditions of attachments.

Sec. 361. (1) As used in this section: (a) "Attachment" means any wire, cable, facility, or other apparatus installed upon any pole or in any duct or conduit, owned or controlled, in whole or in part, by a provider.

(b) "Usable space" means the total distance between the top of a utility pole and the lowest possible attachment point that provides the minimum allowable grade clearance and includes the space which separates telecommunication and power lines.

(2) A provider shall allow and establish the rates, terms, and conditions for attachments by another provider, cable service, or an educational institution establishing a telecommunication system under section 307.

(3) The rates, terms, and conditions shall be just and reasonable. A rate shall be just and reasonable if it assures the provider recovery of not less than the additional costs of providing the attachments, nor more than an amount determined by multiplying the percentage of the total usable space, or the percentage of the total duct or conduit capacity, which is occupied by the attachment, by the sum of the operating expenses and actual capital costs of the provider attributable to the entire pole, duct, or right-of-way.

(4) An attaching provider or cable service shall obtain any necessary authorization before occupying public ways or private rights-of-way with its attachment.

(5) A public utility that directly provides a regulated telecommunication service or cable service shall establish the rates, terms, and conditions for attachments as provided under this section.

(6) This section shall not be construed to limit the commission's authority to regulate the rates, terms, and conditions of attachments upon poles or in ducts or conduits owned or controlled by utilities engaged in the transmission of electricity for light, heat, or power.

History: Add. 1995, Act 216, Imd. Eff. Nov. 30, 1995;—Am. 1997, Act 183, Imd. Eff. Dec. 30, 1997.